

Cross
Road
Sales
Paperboard & Converting

▲
AUG 8 2005
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08/05/2005

The Honorable Vernon A. Williams
Secretary Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

214497

Re: STB Docket No. AB-490 (Sub-No. 1X) Greenville County Economic Development Corporation (GCEDC) – Abandonment and Discontinuance Exemption – in Greenville County, South Carolina.

Secretary Williams,

Cross Road Sales Incorporated wishes to file a protest to the abandonment of the above referenced rail line. The application for abandonment was filed with the board on June 24th 2005 and this protest is being filed within the 45 day requirement. We also request to be made a “Party of Record” and added to the service list.

Cross Road Sales Incorporated is located at 131 Pinsley Circle Greenville, SC 29617, (Greenville & Northern approximate MP 4.0, approximately 2 miles north of the CSX interchange) our facility has a rail spur that was serviced by the ex Greenville & Northern (the line now owned by the GCEDC). The primary business at this address is the converting and storage of printing papers. We buy rolls of paper as wide as 128” diameters of up to 84” and weights in excess of 15,000#’s. The paper mills release the shipments to us in railcars and we are responsible for shipping the railcar to an outside warehouse 11 miles away, having the paper unloaded, and then having it loaded onto trucks for final delivery to our facility. The fact that we are not able to get direct rail shipments forces us to buy rolls of paper that are narrower than the 128” we would prefer. (The useable inside height of a trailer is about 105”). This results in less than optimum use of our machinery, the additional handling results in increased waste associated with multiple moves with a paper roll clamp, and the trans-loading and truck delivery cause the following; increased raw material prices through additional freight charges (average of \$757.23 per railcar load), additional delivery time (3 days), and increased tractor trailer traffic (3-4 trucks per rail car) on already congested roads. Lack of rail service also severely hampers the growth potential of our business. We have 3 truck docks and 3 rail docks, tractor trailers are constantly waiting to be loaded or unloaded, much of this log jamb could be eliminated with railroad access. We will be forced to move in the near future if we are unable to get direct rail service. Cross Road Sales has investigated relocating, we have not relocated because the moving expenses and opportunity costs involved are too great, but we believe they will only continue to increase over time. The quote we have to disassemble the machinery, load it onto trucks, move to a new local location, and reassemble is \$50,000, with more than 50% of the

labor being provided by us (this does not take into account the additional time and expense associated with wiring, hydraulic and air plumbing) We will also incur lost production time of 4-6 weeks \$30,000-\$40,000 plus lost profits of another \$20,000+. The above is for production machinery alone, this does not include the moving of computer systems, servers, and office fixtures. We would prefer to remain in our present location and work towards a solution that would be agreeable to everyone.

Because the GCEDC has not been relieved of their common carrier obligation, Cross Road Sales believed that, when the funds were secured to rehabilitate the line or a designated operator was located, service would be restored to the line. GCEDC states that there is only one shipper left on the line, yet we have not been contacted in regards to use of the rail. If the GCEDC has researched the potential use of the line and they have not contacted the tenant of a building, with a rail siding, which would be serviced by their line, one would question how they (the GCEDC) could possibly know the traffic potential of the line.

The GCEDC has stated from the beginning that they were preserving the corridor for future restoration of rail service. According to the Greenville County Website (*The mission of the GCEDC is "To facilitate, through rail line ownership and/or rail corridor preservation, intermodal, business commuter, shipping, and leisure traveler access to Greater Greenville and its gateways. Our highest priorities, in carrying out this mission, are safety, citizenship, responsibility, and cost effectiveness."*) In a statement to a local paper on Friday August 5th 2005 Butch Kirven, Greenville County Councilman and Chairman of the Greenville County Economic Development Corporation said in reference to Western Carolina Railway's intent on filing an OFA, "He doesn't expect the sale of the line to materialize, trail use would be it's (the railroads) best use, which would encourage residential use along the corridor." We believe that since an interested party has come forward, County Council will willingly negotiate in order to fulfill the mission of the GCEDC. They should take pride in their forethought for it will yield fewer emissions, save fuel, and help ease the congestion on local roads.

Respectively submitted,



Catherine N. Hicks
Chief Financial Officer
Cross Road Sales Inc.

Enclosure:

Cc: William Mullins
Brad Wyche
Steven C. Hawkins

VERIFICATION

"I, CATHERINE N. HICKS, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this pleading. Executed on the 5th of August, 2005."

Catherine N. Hicks

Catherine N. Hicks

CERTIFICATE OF SERVICE

I hereby certify that I have this 5th day of August 2005 served a copy of the forgoing Protest to the Petition for Exemption upon the following by delivering a copy via,

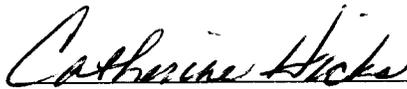
Federal Express to:

Mullins, William A
Baker & Miller Pllc
2401 Pennsylvania Ave, NW-Suite 300
Washington, DC 20037

First class postage prepaid to:

Hawkins, Steven C.
Western Carolina Railway Service Corporation
P. O. Box 16614
Greenville, SC 29606-7614

Wyche, Brad
Upstate Forever
P.O. Box 2308
Greenville, SC 29602


Catherine Hicks

Greenville County Economic Development Corporation

Purpose(s)/Service(s): owning, leasing, constructing, acquiring and operating buildings, equipment, public utilities, and transportation services and facilities functionally related to the promotion of the economic development of Greenville County.

Enabling Legislation: Greenville County Council Resolution, effective 6/1/1999.

The June 1, 1999 Resolution of Greenville County Council established the Greenville County Economic Development Corporation (GCEDC). The GCEDC is a public benefit non-profit corporation to perform the functions of and to carry out the purposes of owning, leasing, constructing, acquiring and operating buildings, equipment, public utilities, and transportation services and facilities functionally related to the promotion of the economic development of Greenville County.

The board of directors of the GCEDC is comprised of five members who serve staggered terms as follows:

- two members are elected at large who are appointed to a three year staggered-term, and
- three ex-officio members who are members of Greenville County Council as follows: the chair of county council, the chair of the intergovernmental relations committee, and one at large member of County Council. All ex-officio members serve with the right to vote.

The mission of the GCEDC is "To facilitate, through rail line ownership and/or rail corridor preservation, intermodal, business commuter, shipping, and leisure traveler access to Greater Greenville and its gateways. Our highest priorities, in carrying out this mission, are safety, citizenship, responsibility, and cost effectiveness."

Address:

Greenville County Economic Development Corporation Telephone: (864) 467-7409